

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DEAN MICHAEL CAMPBELL,)	
)	
Petitioner,)	
)	
vs.)	No. CIV-15-548-C
)	
SID STELL, Director,)	
Pottawatomie County Public)	
Safety Center,)	
)	
Respondent.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Suzanne Mitchell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Mitchell entered a Report and Recommendation on July 20, 2015, recommending summary dismissal, without prejudice, for failure to exhaust available state remedies. Petitioner has timely objected. The Court therefore considers the matter de novo.

In his Objection, Petitioner complains that he has no way of knowing what his available state remedies are, or how to exhaust them, because the county jail where he is detained has no law library. As Judge Mitchell notes, however, this does not present special circumstances excusing exhaustion. There is simply no argument to be made on the facts and law presently existing which would permit Petitioner to proceed with this habeas claim.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, this petition for habeas corpus relief is dismissed, without prejudice, for failure to exhaust available state remedies. A judgment of dismissal will enter. All pending motions are denied as moot.

IT IS SO ORDERED this 30th day of July, 2015.



ROBIN J. CAUTHRON
United States District Judge